

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

WALLACE A. GARDNER,
ADC #110784

PLAINTIFF

v.

No. 5:13-cv-216-DPM

WILLIAM STRAUGHN, Warden, Maximum Security Unit, ADC; STEVE OUTLAW, Assistant Warden, Maximum Security Unit, ADC; BARBARA MATHEWS-GARDNER, Lieutenant, Maximum Security Unit, ADC; RICHARD CLARK, Sergeant, Maximum Security Unit, ADC; WERNETHA LYONS, Sergeant, Maximum Security Unit, ADC; ANGELA KENNEDY, CO-II, Maximum Security Unit, ADC; NICOLA KELLY, Sergeant, Maximum Security Unit, ADC; LANCE L. HALL, Lieutenant, Maximum Security Unit, ADC; KIETH CROCKET, Sergeant, Maximum Security Unit, ADC; MICHEAL LOWERY, CO-II, Maximum Security Unit, ADC; CHRISTOPHER GRIFFITH; and CONNIE JENKINS

DEFENDANTS

ORDER

Gardner moves to proceed *in forma pauperis* on appeal; but he's now a three-striker. 28 U.S.C. § 1915(g). Before filing this appeal, he had at least three cases dismissed for failing to state a claim. *No. 149 at 2*. And there's no indication Gardner is in imminent danger of serious physical injury. 28 U.S.C. § 1915(g). His application to proceed *in forma pauperis* on appeal, *No. 147*, is

therefore denied. If Gardner wants to pursue this appeal, then he must pay the \$505.00 appellate filing and docketing fees or file a motion with the United States Court of Appeals for the Eighth Circuit.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

16 May 2017